

REMARKS

Entry of Amendment and IDS

As Applicants are filing a RCE herewith, this amendment and the accompanying IDS should be entered and considered by the Examiner at this time.

Amendment To Claims

Applicants are amending independent Claims 1 and 2 (and withdrawn independent Claims 3-5) to recite “a first layer and a second layer between the first electrode and the second electrode.” This feature is supported by, for example, Figs. 3A-3C in the present application.

As no new matter is being added, it is respectfully requested that this amendment be entered and allowed.

Claim Rejections – 35 U.S.C. §103

In the Final Rejection, the Examiner now has the following rejections under 35 U.S.C. §103:

- A. Claims 1, 2, 6, 7, 8, 9 10 and 14 as being unpatentable over Heeney et al. (EP 1,439,590) in view of Tokito et al. (Journal of Physics: Applied Physics (1996), vol. 29, pages 2750-2753)
- B. Claims 1-6, 9-14 are rejected as being unpatentable over Takasu et al. (U.S. 2004/0258954) in view of Heeney and Tokito with further evidence provided by Angelopoulos et al. (U.S. 5,198,153).
- C. Claims 7-8 are rejected as being unpatentable over Takasu in view of Heeney and Tokito with further evidence provided by Angelopoulos and further in view of Hosokawa (U.S. 2002/0045061).
- D. Claims 1, 2, 6, 7, 8, 9, 10, 14 are rejected as being unpatentable over Heeney in view of Ikeda et al. (WO 2005/031798).
- E. Claims 1-6, 9-14 are rejected as being unpatentable over Takasu in view of Heeney and Ikeda with further evidence provided by Angelopoulos.

F. Claims 7, 8 are rejected as being unpatentable over Takasu in view of Heeney and Ikeda with further evidence provided by Angelopoulos and further in view of Hoskokawa.

Each of these rejections is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 1 and 2 (and withdrawn independent Claims 3-5) to recite “a first layer and a second layer between the first electrode and the second electrode,” as explained above.

In contrast, this feature does not appear to be disclosed or suggested by the cited references.

Therefore, independent Claims 1 and 2 (and 3-5) are not disclosed or suggested by the cited references, and Claims 1, 2 (and 3-5) and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

New Claims

Applicants are adding new dependent Claim 15. New Claim 15 is supported by, for example, at least Figs. 3A-3C of the present application.

As this is a dependent claim, it is allowable for at least the reasons discussed above for the independent claims. Accordingly, as a RCE is being filed herewith, it is respectfully requested that this new claim be entered and allowed.

If any fee should be due for this new claim, please charge our deposit account 23/0920.

Information Disclosure Statement

Applicants are submitting an information disclosure statement (IDS) herewith. Please charge our deposit account 23-0290 for the fee for this IDS.

It is respectfully requested that this IDS be entered and considered.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment, the RCE, the new claim, and/or the IDS, please charge our deposit account 23-0920.

Favorable reconsideration is earnestly solicited.

Date: August 10, 2010 Respectfully submitted,

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